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In re Application of:
CHIEN-PING HUANG : DECISION ON REQUEST FOR
Serial No.: 10/787,269 : RECONSIDERATION TO
Filed: 25 February 2004 : MAKE SPECIAL UNDER 37
Docket: 58102-DIV (71987) : C.F.R. § 1.102 & M.P.E.P. §
Title: SEMICONDUCTOR PACKAGE WITH HEAT : 708.02 (VIII)
DISSIPATING STRUCTURE :

This is a decision on the request for reconsideration filed on October 26th, 2005 of the decision dated August 26th, 2005 dismissing the petition to make the above-identified application special under the accelerated examination procedure set forth in MPEP § 708.02(VIII) and in accordance with 37 C.F.R. § 1.102(d).

The petition to make the application special is **GRANTED**.

In the request for reconsideration, petitioner provides a discussion of how each of the references distinguishes over each of the independent claims 16, 29 and 38, thus meeting the requirement of MPEP § 708.02(VIII)(e). The requirements of MPEP § 708.02(VIII)(a), (c) and (d) were considered to have been met in the preceding decision. The original petition filed on March 8th, 2005 also meets the requirement of MPEP § 708.02(VIII)(b).

Therefore, the requirements of MPEP § 708.02(VIII)(a)-(e) having been met, the application will be advanced out of turn for examination, and will continue to be treated as special throughout the entire prosecution in the Office according to the procedure set forth in MPEP § 708.02. Any restriction later required by the Office must be responded to with an election without traverse by applicant as a condition for the application retaining its special status.

The application file is being forwarded to the examiner for expedited prosecution.

If the examiner can make this application special without prejudice to any possible interfering applications, and he/she should make a rigid search for such, he/she is authorized to do so for the next action. Should the application be rejected, the application will not be considered special for

the subsequent action unless the applicant promptly makes a bona fide effort to place the application in condition for allowance, even if it is necessary to have an interview with the examiner to accomplish this purpose.

If the examiner finds any interfering application for the same subject matter, he/she should consider such application simultaneously with this application and should state in the official letter of such application that he/she is taking it out of its turn because of possible interference.

Should an appeal be taken in this application or should this application become involved in an interference, consideration of the appeal and the interference will be expedited by all Patent and Trademark Office officials concerned, contingent likewise upon diligent prosecution by the applicant.

Any inquiry regarding this decision should be directed to Hien H. Phan, Special Program Examiner, at (571) 272-1606.



Hien H. Phan, Special Program Examiner
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